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ERICSSON IPR LEGAL

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**ERICSSON** 

EUS/J/P/04-8919

December 16, 2004

Via Facsimile - 703-305-3230

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**CERTIFICATE OF MAILING OR TRANSMISSION**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the U.S. Patent and Trademark Office, P. O. Box 1450, Alexandria, VA 22313-1450, or being facsimile transmitted to the USPTO on the date indicated below.

Date: December 16, 2004

Pamela S. Newton  
Pamela S. Newton

Re: Patent Application for:  
"APPARATUS AND METHOD FOR FLEXIBLE DATA RATE MATCHING"  
Serial No. 10/500,538  
Attorney Docket No. P11929-US1

Dear Sir or Madam:

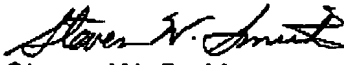
Enclosed for filing are the following:

- (1) Copy of Notification of Missing Requirements (2 pages);
- (2) Executed Declaration & Power of Attorney (5 pages).

The commissioner is hereby authorized to charge the \$130.00 late oath surcharge and any additional filing fees associated with this communication or credit any overpayment to Deposit Account No. 50-1379.

If you have any questions or comments concerning this matter, please feel free to contact the undersigned at 972-583-1572.

Sincerely,

  
Steven W. Smith  
Reg. No. 36,684

SWS/psn

01/10/2005 PKIDWELL 00000003 501379 10500538

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Ericsson Inc.  
6300 Legacy Drive





## UNITED STATES PATENT AND TRADEMARK OFFICE

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U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/500,538	Gerd Morsberger	P11929-US1

INTERNATIONAL APPLICATION NO.
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PCT/EP02/10448

IA. FILING DATE	PRIORITY DATE
09/18/2002	12/31/2001

27045  
ERICSSON INC.  
6300 LEGACY DRIVE  
M/S EVR C11  
PLANO, TX 75024

RECEIVED

DEC 13 2004

EUS LEGAL DEPT.

CONFIRMATION NO. 6482

371 FORMALITIES LETTER



\*OC000000014679975\*

Date Mailed: 12/07/2004

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 06/30/2004
- Copy of the International Search Report filed on 06/30/2004
- Preliminary Amendments filed on 06/30/2004
- Information Disclosure Statements filed on 06/30/2004
- Oath or Declaration filed on 06/30/2004
- Request for Immediate Examination filed on 06/30/2004
- U.S. Basic National Fees filed on 06/30/2004
- Priority Documents filed on 06/30/2004

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the international application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - Is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- \$130 Surcharge for providing the oath or declaration later than 30 months from the priority date (37 CFR 1.492(e)) is required.

#### SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

- \$130 Late oath or declaration Surcharge.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

PAULETTE R KIDWELL

Telephone: (703) 305-3656

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/500,538	PCT/EP02/10448	P11929-US1

FORM PCT/DO/EO/905 (371 Formalities Notice)